

A Citizen's Guide to Coal Mine Complaint Resolution

Citizen Complaints or Requests for Inspections

If you believe that you or your property has been affected by an active or abandoned coal mine operation, you may request an investigation of your complaint through the Division of Mined Land Reclamation (DMLR). You may also request an inspection of an active mine site if you believe a condition, practice or violation exists at the operation which endangers public health and safety or may cause harm to the environment.

How do I File a Complaint or Request an Inspection?

During normal business hours (8 am to 5 p.m. Mon-Fri.), you may call (276) 523-8199 or you may [e-mail](#) or write to the following address:

Department of Mines, Minerals and Energy
Division of Mined Land Reclamation
P.O. Drawer 900
Big Stone Gap, VA 24219

If you write to the DMLR, please include your home telephone number or other number where you can be reached during the day.

After normal business hours and during weekends, please contact the local Sheriff's Department to report black water discharges or other mine-related problems demanding immediate attention. We have supplied all county Sheriff's offices with a list of DMLR personnel to call in the event of an emergency.

Coal Mine Complaint Procedure

The following is a summary of the procedure used by the DMLR when responding to a citizen complaint concerning an active or abandoned coal mine. Should you have questions at any time during the complaint investigation, you may contact the DMLR reclamation inspector at (276) 523-8199.

1. The DMLR inspector will begin an immediate investigation of your complaint the same day that it is received. The initial investigation will be completed within 10 days.
2. The inspector will contact you to obtain additional information concerning your complaint and to arrange a site visit to your home or property. The inspector also will visit the mine site (or sites) that is the subject of the citizen's complaint.
You have the right to accompany the inspector on the mine site visit. If you elect to do so, you must provide any or all safety equipment needed to accompany the inspector during the inspection. While on the mine property you will be under the control, direction and supervision of the inspector.
3. Due to the technical nature of some complaints, it may take additional time for the DMLR to complete the investigation. The inspector will keep you apprised of the investigation's progress and once it is completed, will fully explain the DMLR's findings to you.

4. A copy of the complaint investigation form and/or report documenting the findings will be mailed to you within 15 days of the initial investigation.
Technical assistance may be required when the complaint involves mining related water loss, subsidence damage or blasting damage.
When an inspector needs technical assistance in conducting the investigation, a representative of DMLR's technical section will be called upon. The initial technical investigation will be conducted within 20 days of the inspector's request for assistance. The inspector will arrange a site visit if the technical investigator needs to visit your home or property and the mine site.
5. Usually, the technical investigation report will be completed within 60 days after initiation of the technical investigation. The investigator will contact you if more time is needed to complete the report.
6. A copy of the complaint investigation form and the technical report documenting the DMLR's findings will be hand delivered or mailed to you within 15 days of the completion of the investigation. The DMLR inspector will fully explain to you the findings of the technical investigation.

What if I do not agree with the findings?

If you do not agree with DMLR's action regarding your complaint, you may request an informal and formal review of the decision. If the informal review does not resolve the issue to your satisfaction, you also have the right to a formal review of DMLR's findings. A request for informal or formal review must be made in writing to:

Hearings Coordinator

Virginia Dept. of Mines, Minerals & Energy

Division of Mined Land Reclamation

P.O. Drawer 900

Big Stone Gap, VA 24219

Your request must include a statement of how you have been or may be adversely affected by the decision, and why the decision should be reviewed.

How to help us help you with your complaint

When the inspector comes to investigate your complaint, the more information you can provide about the nature of your concerns, the better.

If your complaint is about **blasting**:

- Keep a record of the exact time and date of the blast.
- The inspector may suggest or you may request that ground vibration and air blast (noise) be measured with a seismograph at your residence.

If your complaint is about the **loss of your well water**:

- Please inspect your well and pump to insure the system is operating properly.
- Make your well accessible for water level measurements.
- Provide a copy of the well driller's log or other information about your well to the inspector or technical investigator at the time of the initial investigation or any subsequent technical investigation.

If your complaint is about a **black water discharge into a stream or river**:

- Contact DMLR as soon as possible after you notice the black water discharge.
- After normal business hours (8 AM - 5 PM) and during weekends, please contact the local Sheriff's Department.

If your complaint is about **subsidence**:

- Make a record of the date damage occurred or was first noticed and what brought the damage to your attention. Also make photographs if possible.